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June 5, 2012

Ms. Marlene H. Dortch
Secretary
Federal Communications Commission
445 12th St., SW
Washington, D.C. 20554

Re: Continuation of Cable Viewability Requirements for Digital Must Carry Television Stations
CS Docket No. 98-120

Dear Ms. Dortch:

Ramar Communications, Inc. strongly supports continuation of the cable Viewability Rule as proposed in the FCC's February 10, 2012 *Notice of Proposed Rulemaking*. The viewability rule ensures that all cable subscribers will have access to their local television broadcast programming and that all local broadcasters will have access to the entire cable television audience. This is exactly the result Congress intended when it adopted must-carry, as the language of the Communications Act unequivocally demonstrates. The FCC explicitly recognized Congress's intent and the clear mandate of Section 614(b)(7) of the Communications Act when it adopted the Viewability Rule in 2007 and again in its 2012 Notice.

Since 2007, the Viewability Rule has been extremely successful. The rule has preserved viewers' access to all must-carry stations and provided incentives to cable operators to transition to more efficient, all-digital cable systems. At the same time, the rule has protected must-carry stations' advertising revenues by ensuring that they retain access to all cable homes – again, just as Congress intended.

For example, KUPT(TV) (MyNetwork), KTEL-TV (Telemundo), and KRTN-TV (MeTV) each operate in the Albuquerque market and each relies on must carry to reach all of the households in the market. It is vital that these stations continue to have full access to our market's cable viewers.

The FCC cannot fail to see that allowing the Viewability Rule to expire would be contrary to both express Congressional command and any reasonable construction of the public interest. Over 12 million households (or about 30 million television viewers) – fully 20 percent of cable homes – continue to rely on the Viewability Rule to ensure that they receive their full complement of local must-carry stations. These analog basic cable subscribers are disproportionately lower income, minority, elderly, and rural television viewers. These viewers are among the least likely to have the time and resource flexibility necessary to upgrade their cable service to receive must-carry stations in the absence of the Viewability Rule. Moreover, nearly 800 local television stations rely on

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must carry to ensure that their signals are carried by cable operators. Without the Viewability Rule, these stations will lose up to 20 percent of their audience and the accompanying advertising revenue. The decline in service such a revenue reduction would cause would be dramatic, and it would be felt not just by cable viewers, but by satellite, telco, and over-the-air viewers as well. Disenfranchising viewers and disabling local television stations is entirely inconsistent with the public interest.

Recently press reports indicate the FCC is considering permitting cable operators to "satisfy" their viewability obligations by permitting viewers to purchase and install a digital transport adaptor. Viewers that do not obtain such an adopter from their cable operators would lose access to their must-carry signals but not to our television station competitors who can negotiate retransmission consent carriage. This plan will not work and cable operators ought to be ashamed of themselves for proposing this additional time and resource burden on their customers. Congress mandated that cable operators provide all their customers with must-carry signals, not the opportunity to purchase yet another piece of equipment to self-install.

Given the substantial public interests supporting extension of the Viewability Rule and the significant public harms that would accompany eliminating the rule, the FCC should promptly adopt its proposal to extend the rule through June 12, 2015.

Very truly yours,

Brad Moran
Ramar Communications, Inc.